SINGLE BENCH (1) 3

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO. 1721 /2006

PETITIONER / S. MOHAN RAO, S/O. SHRI S. JAGANNATHAM, AGED ABOUT 50 YEARS, HEAD MASTER, M.V.N RAO MEMORIAL PRE MIDDLE SCHOOL, KHURSIPAR ZONE -3 BHILAI, DISTRICT – DURG (C.G.)

P.R. No. 1786/06
Presented by Shri Hemant Das
Dated 31/3/06

VERSUS

RESPONDENTS 1. STATE OF CHHATTISGARH THROUGH SECRETARY, SCHOOL EDUCATION DEPARTMENT, D.K.S. BHAWAN, RAIPUR (CHHATTISGARH)

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28-3-06
CLERK to A. G. BILASPUR

2. DIRECTOR, PUBLIC EDUCATION DEPARTMENT, PENSION BADA, RAIPUR (C.G.)

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA

The petitioner humbly begs to submit as under:-

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक ..... WP 1721/06 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

4-4-2006

Shri Anoop Mazumdar, counsel for the petitioner.

Shri Vinay Pandey, Panel Lawyer for the State.

Heard.

Learned counsel for the petitioner submits that under Rule 33(i) of Chhattisgarh Ashaskiya Shikshan Sansthan (Adhyapako Tatha Anya Karmachariyon Ke Vetano Ka Sandaya) Adhiniyam, 1978, the petitioner is entitled to get the benefits where the Government grant is being given to the scale corresponding categories of employees in Government educational institutions.

On the other hand, learned counsel appearing for the State, submits that the petitioner has straightaway filed this petition without serving notice for demand of justice.

In that view of the matter, Shri Mazumdar, learned counsel for the petitioner, prays that the petitioner may be permitted to make a detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

The prayer is not opposed by the other side.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent

(14)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 1721/06 ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -27	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	authority of the respondents along with a copy of the petition and this order, within a period of one month, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within a period of three months from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law including filing of petition. With the aforesaid observations, this petition stands disposed of. Certified copy as per rules. Sd/- Fakhruddin Judge	
Gowri		

SP/FS/2005 - 20,000

13.4.06